

FOR UTILITY/DESIGN
CIP/PCT NATIONAL/PLANT
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL
DECLARATIONS

RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PW
FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED FIBER PAYOUT FOLLOWER

the specification of which (CHECK applicable BOX(ES))
X ☐ A. ☐ is attached hereto.
BOX(ES) ☒ B. ☒ was filed on September 19, 2003 as U.S. Application No. 10/665,977
☒ C. ☐ was filed as PCT International Application No. PCT/ / On /
and (if applicable to U.S. or PCT application) was amended on /

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application;

PRIOR FOREIGN APPLICATION(S)

Number	Country	Day/MONTH/Year Filed	Date first Laid- open or Published	Date Patented or Granted	Priority NOT Claimed
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If more prior foreign applications, X box at bottom and continue on attached page.

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)

Application No. (series code/serial no.)	Day/MONTH/Year Filed	Status pending, abandoned, patented	Priority NOT Claimed
60/412,238	19 September 2002	Pending	
60/415,613	1 October 2002	Pending	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint David Jaffer, Pillsbury Winthrop LLP, 2550 Hanover Street, Palo Alto, CA 94304-1115, telephone number (650) 233-4510 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above Firm and/or a below attorney in writing to the contrary.

Name	Address	City	State	Zip	Name	Address	City	State	Zip
George M. Sirilla	18,221	Mark G. Paulson	30,793	William P. Atkins	38,821	Richard Steinberg	26,588		
Richard H. Zaitlen	27,248	James E. Eakin	27,874	Paul L. Sharer	36,004	Jeffrey W. Guise	34,613		
Dale S. Lazar	28,872	Bryan P. Collins	43,560	Robin L. Teskin	35,030	David H. Jaffer	32,243		
Glenn J. Perry	28,458	Roger R. Wise	31,204	F.T. Alexandra Mahaney	37,688	John R. Wetherell	31,678		
Thomas A. Cawley, Jr.	40,944	Jack S. Barufka	37,087	Robert J. Walters	40,862	Craig J. Bristol	40,245		
David A. Jakopin	32,995	Adam R. Hess	41,835	Brian J. Beatus	38,825	Jeffrey D. Karceski	35,914		
Danielson, Mark	40,580	Kim, Chang H.	42,727	James R. Menker	41,717	Davoudian, Keyvan	47,520		
Dennison, Caroline D.	34,494	Baeza, Guillermo	35,056	Barrett, Glenn T.	38,705	Hilliard, Thomas P.	40,330		
Fagin, Kenneth M.	37,615	Daley, Henry J.	42,459	Vicki G. Norton	40,745				
Jonathan E. Jobe	28,429	Hartman, Kerry T.	41,818	McCarthy, Christine H.	41,844				
Darling, John P.	44,482	Robert C.F. Perez	39,328	Steven Moore	35,959				
Eric Hernandez	47,641	Ross L. Franks	47,282	Suzanne L. Biggs	30,158				

(1) INVENTOR'S SIGNATURE: Reuben Sandler Date: 12/2/03

First	Middle Initial	Family Name
Residence	Berkeley	CA
City	State/Foreign Country	Country of Citizenship
Mailing Address	2228 DWIGHT WAY #3	
(include Zip Code)	94704	

(2) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence	Richmond	CA
City	State/Foreign Country	Country of Citizenship
Mailing Address	408 A Ohio Avenue	
(include Zip Code)	94804	

"X" box ☒ FOR ADDITIONAL INVENTORS, and proceed on the attached page to list each additional inventor.
☐ See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. 09172-0305484

(M#)

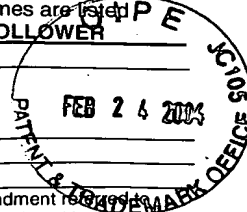
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Darling, John P.	44,482	Robert C.F. Perez	39,328	Steven Moore	35,959		
Eric Hernandez	47,641	Ross L. Franks	47,233	Suzanne L. Biggs	30,158		

(1) INVENTOR'S SIGNATURE:

Date:

Reuben	Sandler		
First	Middle Initial	Family Name	
Residence	Berkeley	CA	USA
City	State/Foreign Country	Country of Citizenship	
Mailing Address			
(include Zip Code)			

(2) INVENTOR'S SIGNATURE:

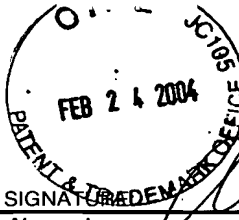
Date: 11/06/03

Jon	Burns		
First	Middle Initial	Family Name	
Residence	Richmond	CA	USA
City	State/Foreign Country	Country of Citizenship	
Mailing Address	408 A Ohio Avenue		
(include Zip Code)	94804		

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☐ See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. 09172-0305484

(M#)



DECLARATION AND POWER OF ATTORNEY

(continued)

ADDITIONAL INVENTORS

(3) INVENTOR'S SIGNATURE

Date:

11/03/06

Alexander	Charles	White
First	Middle Initial	Family Name
Residence	Fairfield	CA
City	State/Foreign Country	Country of Citizenship
Post Office Address	726 Timberline Place	
(include Zip Code)	94534	

(4) INVENTOR'S SIGNATURE:

Date:

Bjorn	Monteen
First	Middle Initial
Residence	San Rafael
City	State/Foreign Country
Post Office Address	
(include Zip Code)	

(5) INVENTOR'S SIGNATURE:

Date:

Jesse	Thomas
First	Middle Initial
Residence	Oakland
City	State/Foreign Country
Post Office Address	
(include Zip Code)	

(6) INVENTOR'S SIGNATURE:

Date:

Nathan	H.	Harding
First	Middle Initial	Family Name
Residence	San Francisco	CA
City	State/Foreign Country	Country of Citizenship
Post Office Address		
(include Zip Code)		

(7) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	Country of Citizenship
Post Office Address		
(include Zip Code)		

(8) INVENTOR'S SIGNATURE:

Date:

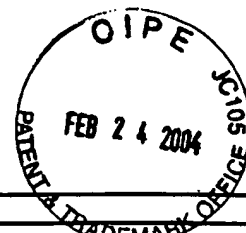
First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	Country of Citizenship
Post Office Address		
(include Zip Code)		

(9) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name
Residence		
City	State/Foreign Country	Country of Citizenship
Post Office Address		
(include Zip Code)		

DECLARATION AND POWER OF ATTORNEY
(continued)
ADDITIONAL INVENTORS



(3) INVENTOR'S SIGNATURE:

Date:

Alexander		Charles	White
First		Middle Initial	Family Name
Residence	Fairfield	CA	USA
City		State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

(4) INVENTOR'S SIGNATURE:

Date:

2-14-04

Bjorn		Monteen
First		Middle Initial
Residence	San Rafael	CA
City		State/Foreign Country
Post Office Address		Country of Citizenship
(include Zip Code)		

Don Jose
2130 Rubino Dr #307
95125

(5) INVENTOR'S SIGNATURE:

Date:

Jesse		Thomas
First		Middle Initial
Residence	Oakland	CA
City		State/Foreign Country
Post Office Address		Country of Citizenship
(include Zip Code)		

(6) INVENTOR'S SIGNATURE:

Date:

Nathan		H.	Harding
First		Middle Initial	Family Name
Residence	San Francisco	CA	USA
City		State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

(7) INVENTOR'S SIGNATURE:

Date:

First		Middle Initial	Family Name
Residence			
City		State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

(8) INVENTOR'S SIGNATURE:

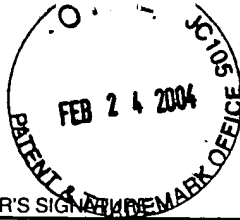
Date:

First		Middle Initial	Family Name
Residence			
City		State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

(9) INVENTOR'S SIGNATURE:

Date:

First		Middle Initial	Family Name
Residence			
City		State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			



DECLARATION AND POWER OF ATTORNEY
(continued)
ADDITIONAL INVENTORS

(3) INVENTOR'S SIGNATURE: _____ Date: _____

Alexander	Charles	White	
First	Middle Initial	Family Name	
Residence	Fairfield	CA	USA
	City	State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

(4) INVENTOR'S SIGNATURE: _____ Date: _____

Bjorn		Monteen	
First	Middle Initial	Family Name	
Residence	San Rafael	CA	USA
	City	State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

(5) INVENTOR'S SIGNATURE: Jesse Thomas Date: 12/5/03

Jesse		Thomas	
First	Middle Initial	Family Name	
Residence	Oakland	CA	USA
	City	State/Foreign Country	Country of Citizenship
Post Office Address	3706 Maple Ave, Oakland, CA		
(include Zip Code)	94602		

(6) INVENTOR'S SIGNATURE: _____ Date: _____

Nathan	H.	Harding	
First	Middle Initial	Family Name	
Residence	San Francisco	CA	USA
	City	State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

(7) INVENTOR'S SIGNATURE: _____ Date: _____

First	Middle Initial	Family Name	
Residence			
	City	State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

(8) INVENTOR'S SIGNATURE: _____ Date: _____

First	Middle Initial	Family Name	
Residence			
	City	State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

(9) INVENTOR'S SIGNATURE: _____ Date: _____

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Residence			
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Post Office Address			
(include Zip Code)			



DECLARATION AND POWER OF ATTORNEY
(continued)
ADDITIONAL INVENTORS

(3) INVENTOR'S SIGNATURE:

Date:

Alexander		Charles	White
First		Middle Initial	Family Name
Residence	Fairfield	CA	USA
City		State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

(4) INVENTOR'S SIGNATURE:

Date:

Bjorn			Monteen
First		Middle Initial	Family Name
Residence	San Rafael	CA	USA
City		State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

(5) INVENTOR'S SIGNATURE:

Date:

Jesse			Thomas
First		Middle Initial	Family Name
Residence	Oakland	CA	USA
City		State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

(6) INVENTOR'S SIGNATURE:

Date: 11/14/03

Nathan		H.	Harding
First		Middle Initial	Family Name
Residence	San Francisco	CA	USA
City		State/Foreign Country	Country of Citizenship
Post Office Address		320 FOREST STR. OAKLAND, CA	
(include Zip Code)		94618	

(7) INVENTOR'S SIGNATURE:

Date:

First		Middle Initial	Family Name
Residence			
City		State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

(8) INVENTOR'S SIGNATURE:

Date:

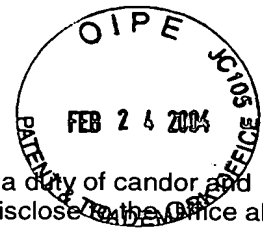
First		Middle Initial	Family Name
Residence			
City		State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

(9) INVENTOR'S SIGNATURE:

Date:

First		Middle Initial	Family Name
Residence			
City		State/Foreign Country	Country of Citizenship
Post Office Address			
(include Zip Code)			

Rule 56(a) & (b) = 37 C.F.R. 1.56(a) & (b)
PATENT AND TRADEMARK CASES - RULES OF PRACTICE
DUTY OF DISCLOSURE



- (a) ...Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability... (b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability

PATENT LAWS 35 U.S.C.

§102. Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless--

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months* before the filing of the application in the United States, or
- (e) the invention was described in
 - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
 - (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a); or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g)
 - (1) during the course of an interference conducted under section 135 or section 291, another inventor involved therein establishes, to the extent permitted in section 104, that before such person's invention thereof the invention was made by such other inventor and not abandoned, suppressed, or concealed, or
 - (2) before such person's invention thereof, the invention was made in this country by another inventor who had not abandoned, suppressed, or concealed it. In determining priority of invention under this subsection there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

§103. Condition for patentability; non-obvious subject matter

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made. . . .
- (c) Subject matter developed by another person, which qualified as prior art only under one or more of subsections (e), (f) and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

* Six months for Design Applications (35 U.S.C. 172).